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Debtor and Debtor in Possession
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8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **RIVERSIDE DIVISION**
11

12 In re
13 BETTER NUTRITIONALS, LLC,
14 Debtor.

Case No. 6:22-bk-14723-MH

Chapter 11

**NOTICE OF HEARING ON FIRST DAY
MOTIONS**

Date: December 22, 2022
Time: 1:00 p.m.
Place: Courtroom 301
3420 Twelfth Street
Riverside, California

18
19 **TO THE HONORABLE MARK D. HOULE, UNITED STATES BANKRUPTCY JUDGE;**
20 **THE OFFICE OF THE UNITED STATES TRUSTEE; ENTITIES WITH INTERESTS OR**
21 **POTENTIAL INTERESTS IN CASH COLLATERAL TO BE USED BY THE DEBTOR IN**
THESE CASES; THE TWENTY LARGEST UNSECURED CREDITORS; UTILITY
PROVIDERS; AND PARTIES IN INTEREST:

22 **PLEASE TAKE NOTICE** that Better Nutritionals, LLC, a California limited liability
company (the “**Debtor**”), filed a voluntary petition for relief under chapter 11 of title 11 of the
23 United States Code on December 20, 2022 (the “**Petition Date**”), and its case was assigned case
number 6:22-bk-14723-MH.

24 **PLEASE TAKE FURTHER NOTICE** that, on the Petition Date, the Debtor filed the
25 following motions seeking relief on an expedited basis:

- 26 (a) Motion for Entry of Order (1) Authorizing Use of Cash Collateral on an Interim
27 Basis Pending a Final Hearing, (2) Scheduling a Final Hearing on the Debtor’s
Request for Authority to Use Cash Collateral through March 31, 2023, and (3)
28 Granting Related Relief (docket no. 8);

- (b) Motion for Entry of Order Extending Time for Debtor to File its Schedules, Statements and Other Documents Required by Federal Rule of Bankruptcy Procedure 1007(b) and Applicable Local Rules of Procedure (docket no. 10);
- (c) Motion for Order Limiting Notice (docket no. 11);
- (d) Motion for Entry of Order Authorizing the Debtor to Pay Prepetition Wages and Compensation, Authorizing the Debtor to Honor and Continue Prepetition Employee Benefit Programs, Authorizing the Debtor to Pay Staffing Agencies for Current Employees and Current Period, and Waiving 14-Day Stay (docket no. 12); and
- (e) Motion for Entry of Interim and Final Orders (1) Prohibiting Utilities from Altering, Refusing or Discontinuing Service, (2) Deeming Utilities Adequately Assured of Future Performance, (3) Establishing Procedures for Determining Adequate Assurance of Payment, and (4) Granting Related Relief (docket no. 14).

These motions are collectively referred to herein as the “**First Day Motions.**”

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the First Day Motions on **December 22, 2022, at 1:00 p.m.**

PLEASE TAKE FURTHER NOTICE that the hearing on the First Day Motions will be held in person, in **Courtroom 301, 3420 Twelfth Street, Riverside, California.** Parties may also appear at the hearings telephonically. Pursuant to the Court’s telephonic procedures:¹

HOW TO ARRANGE A TELEPHONIC APPEARANCE

As soon as practicable, individuals should arrange telephonic appearances by emailing chambers at Chambers_MHoule@cacb.uscourts.gov **no later than 12:00 noon the day prior to the hearing.** Failure to register before the deadline adversely impacts the Courtroom Deputy and the court’s ability to conduct hearings.

The subject line of the email should be “Registration – Telephonic Appearance” and the email should contain:

1. Appearing counsel’s full name, phone number, client’s full name, and client’s relationship to the case (i.e. debtor, movant, secured creditor, plaintiff, etc.). (If a party is not represented by counsel, include your full name, phone number, and relationship to the case).
2. Hearing date, time, and calendar number (which can be found on the tentative ruling/posted calendar on the court’s website).
3. Debtor’s name and case number.

¹ See <https://www.cacb.uscourts.gov/judges/honorable-mark-d-houle> for additional details.

1 The email should be sent from an email address that is monitored because the
2 court may have questions or directions regarding the appearance. The court will not
3 confirm the registration by email or telephone. Counsel's name and telephone number
4 will instead be listed on the tentative ruling page, which will be updated periodically.
5 Please only contact the court regarding a registration if it is not listed on the tentative
6 ruling page after the deadline to register.

7
8 ***PROCEDURE FOR TELEPHONIC APPEARANCE***

9 Join the hearing 10 minutes before the hearing time by calling the toll-free
10 conference line at (877) 873-8018 and using the passcode: 5655967.

11 Keep your phone on mute until your hearing matter is called by Judge Houle.

12 It is the individual's responsibility to dial into the call prior to the scheduled
13 hearing. The court does not place a call to those appearing.

14 Telephonic appearances are connected directly with the courtroom's public
15 address system and electronic recording equipment. **To ensure the quality of the
16 telephonic appearance, the use of cellular phones is strongly discouraged. If an
17 individual's poor cellular phone connection does not allow the Court to hear or
18 understand the individual, or for the Court to accurately record the audio for
19 transcription, the court may ask that individual to disconnect from the hearing
20 and the individual will otherwise be deemed to have waived his or her
21 appearance in the matter. Similarly, if a cellular phone disconnects during a
22 hearing, the party appearing by cellular phone will be deemed to have waived
23 his or her appearance. As the AT&T line is "open" without an operator to mute
24 individual parties, Judge Houle requests that all parties appearing observe
25 professional telephone etiquette, including keeping the phone on mute other than
26 when their matter is called, and keeping a quiet ambient background, to ensure
27 that the process works smoothly and effectively for all parties.**

28 After you have placed your call you will be able to hear the matters before
yours just as if you were in the courtroom. Judge Houle will call the case, request
appearances, and direct the manner in which the hearing proceeds. Generally,
appearances in the courtroom will be taken first. Please wait for the courtroom
appearances to be completed before speaking or making your own appearance. Each
time you speak, you should identify yourself for the record. The court's
teleconferencing system allows more than one speaker to be heard, so the judge can
interrupt a speaker to ask a question or redirect the discussion. When the judge
informs the participants that the hearing is completed, you may disconnect and the
next case will be called.

Please contact the courtroom deputy at 951-774-1085 if you have questions
concerning your upcoming telephonic appearance.

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1 **PLEASE TAKE FURTHER NOTICE** that any response, written or oral, to any or all of
2 the First Day Motions may be presented at the time of the hearing.

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4 DATED: December 20, 2022

DANNING, GILL, ISRAEL & KRASNOFF, LLP

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6 By: /s/ John N. Tedford, IV
7 JOHN N. TEDFORD, IV
8 Proposed Attorneys for Better Nutritionals, LLC.
9 Debtor and Debtor in Possession
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